

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DENNIS UNDERWOOD,

Plaintiff,

V.

**CLARK COUNTY BOARD OF
COMMISSIONERS, *et al.*,**

Defendants.

Case No. C07-5217RJB

**ORDER DENYING PLAINTIFF'S
MOTION FOR AN EXTENSION OF
TIME TO FILE A RESPONSE TO AN
ANSWER AND GRANTING
PLAINTIFF'S MOTION TO FOR AN
EXTENSION OF TIME TO SERVE
DEFENDANTS**

This 42 U.S.C. § 1983 Civil Rights action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. §§ 636(b)(1)(A) and 636(b)(1)(B) and Local Magistrates' Rules MJR 1, MJR 3, and MJR 4. Before the court are two motions filed by plaintiff (Dkt. # 23 and 24). Defendants have responded and do not oppose either motion (Dkt. # 26 and 27).

Plaintiff's motion for an extension of time to respond to the answer filed in this action is **DENIED**. A response or reply to an answer is only appropriate if there is a counter claim. The answer in this case does not contain a counter claim and no response is allowed.

The motion for additional time to perfect service is unopposed and is **GRANTED**. Plaintiff has until September 30, 2007, to perfect service. Plaintiff is proceeding *in forma pauperis*. The ORDER - 1

1 court will attempt service by mail if plaintiff provides filled out Marshal Service forms and copies of
2 the compliant.

3 The Clerk of Court is directed to send a copy of this Order to plaintiff and to counsel for
4 defendants and to note this matter for the court's review on **September 30, 2007**.

5

6 DATED this 10 day of September, 2007.

7

8

9

/S/ J. Kelley Arnold

10

J. Kelley Arnold

11

United States Magistrate Judge

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

ORDER - 2